

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSE

IN RE:

CASE No.: 04-29526-JDL

Claude J. Cochran
Rhonda L. Cochran

Chapter 13

MOTION TO DIRECT TRUSTEE TO DISBURSE CHAPTER 13 FUNDS
TO DEBTOR RHONDA COCHRAN ONLY

COMES NOW the Debtor, Rhonda L. Cochran, by and through her attorney of record, Rachel L. Songstad, Esq., and moves this Honorable Court for an order disbursing the funds currently being held by the Chapter 13 Court Clerk's office directly in the sole name of the Debtor, Rhonda L. Cochran, and in support thereof, would respectfully show unto the Court the following:

1. On September 20, 2007, the Debtors, Claude Cochran and Rhonda Cochran, were divorced in the Shelby County Circuit Court, Division 1, by entry of a Final Decree of Divorce, attached hereto for reference as Exhibit "A."

2. Pursuant to the Final Decree of Divorce, which states in pertinent part:

The Wife shall be solely responsible for the continued payment of the parties' Chapter 13 bankruptcy, which is continuing in the Western District of Tennessee Bankruptcy Court, cause number 04-29526-L. Wife shall continue to pay the bankruptcy payments until the bankruptcy is closed and shall indemnify and hold the Husband harmless therefrom.

3. On April 16, 2008, Debtors' bankruptcy was discharged and although the Court entered orders directly Debtor Rhonda Cochran's employer to cease deductions, deductions continued from Debtor Rhonda Cochran's wages, leaving a significant amount overpaid by the Debtor Rhonda Cochran.

4. Debtor Rhonda Cochran does not know the whereabouts of her ex-husband/Co-Debtor, Claude Cochran, and is requesting the funds to be disbursed directly to her without the name of the Co-Debtor on the disbursement check.

5. Debtor Rhonda Cochran was solely responsible for the payment of the bankruptcy plan, pursuant to the final decree of divorce, and it was Rhonda Cochran's post-divorce wages that funded her bankruptcy plan and she was the only debtor making payments to allow her bankruptcy plan to be paid in full.

WHEREFORE, PREMISES CONSIDERED, the Debtor, Rhonda Cochran, moves this Honorable Court for an order disbursing the funds currently being held by the Chapter 13 Court Clerk's office directly in the sole name of the Debtor, Rhonda L. Cochran, and for any other relief this Court deems equitable and proper.

Respectfully submitted,

/s/ Rachel L. Songstad

Rachel L. Songstad (#24339)
Attorney for Debtor
7286 Deadfall Road
Arlington, TN 38002
(901) 829-2922

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing was served via U.S. Mail, postage prepaid, upon the following parties on this the 21st day of August, 2008:

Trustee
Debtor, Rhonda Cochran
Debtor, Claude Cochran

/s/ Rachel L. Songstad

Rachel L. Songstad